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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 340th meeting
Held at Headquarters, New York, on Tuesday, 27 March 2012, at 10.30 a.m.

Chair: Mr. Diallo ..... (Senegal)

Contents

Adoption of the agenda

Request by Ecuador to become a member of the Committee (*continued*)

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process

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The meeting was called to order at 10.30 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Request by Ecuador to become a member of the Committee (*continued*)

2 **The Chair** welcomed the representative of Ecuador and congratulated him on his country's admission to membership in the Committee.

The situation in the Occupied Palestinian Territory, including East Jerusalem, and developments in the political process

Statement by Ms. Hanan Ashrawi, member of the Executive Committee of the Palestine Liberation Organization; member of the Palestinian Legislative Council

3. **Ms. Ashrawi** (member of the Executive Committee of the Palestine Liberation Organization; member of the Palestinian Legislative Council) said that the Palestinians had accepted the idea of the two-State solution and the partition of historical Palestine in 1988. Since then, they had made a series of significant and painful compromises and had agreed that their future State would be established on only 22 per cent of their homeland. Despite that huge sacrifice, they were being asked to make further concessions.

4. Israel was reneging on its commitment to the two-State solution on the basis of the June 1967 borders. Instead, it was endeavouring to perpetuate its profitable occupation by transforming the Palestinian Authority into a body through which it could continue to subjugate the Palestinians and exercise control over their land and resources. Military sieges, checkpoints, a horrific annexation wall and the increasing fragmentation of the West Bank were exacerbating their suffering. The Israeli Government had, moreover, accelerated settlement-building, particularly in and around Jerusalem, in a blatant attempt to change the demographics, culture and character of that city; instead of an open Palestinian city that welcomed all religions and cultures, Israel was creating a city with a forged identity, to which the vast majority of Palestinians were denied access even on religious holidays.

5. A systematic and deliberate ethnic cleansing campaign was under way in Jerusalem. Under legislation that contravened international law and the Geneva Conventions, Israel was revoking Palestinians' residency permits and expelling them from the city on the pretext that they did not live, work or study there, even though there were not enough schools or jobs for the residents; because they had chosen to study abroad, her own daughters' Jerusalem residency permits had been revoked. Israel had confiscated 87 per cent of the land in East Jerusalem and rejected Palestinian applications to build on the land that remained, despite an acute housing shortage. It was unlikely that such draconian laws had been enacted anywhere else in the world. And instead of upholding the rule of law, the Israeli Supreme Court had been complicit in and provided legal cover for Israeli actions.

6. Despite the assistance that the Palestinians received from the international community, they could make only limited progress towards establishing the institutions necessary for statehood because Israel restricted their movements and access to resources and was actively seeking to maintain control over and crush their economy. It was therefore ironic that in its report to the meeting of the Ad Hoc Liaison Committee for assistance to the Palestinians, held in Brussels on 21 March 2012, Israel had claimed that the Palestinians did not deserve statehood because their economy could not survive without financial assistance from donors.

7. Negotiations had repeatedly failed because of the huge disparity between the two sides: Israel exercised full de facto control over the Occupied Palestinian Territory, while the Palestinians were being systematically deprived of their rights and denied the protection to which they were entitled under international law. That had created a sense of tremendous pain among Palestinians and had exacerbated Israel's sense of entitlement and its belief that it could act with complete impunity.

8. Whenever a new Government took office, Israel sought to change the terms of reference of the peace process unilaterally. Although Prime Minister Netanyahu, at the helm of an extremist and racist Government, had stated that Israel would accept the two-State solution, that acceptance was conditional on the Palestinians' recognition of Israel as a Jewish State. Such a precondition was unacceptable to the Palestinians, who had already recognized the State of Israel in 1993. Moreover, in accordance with international norms and practice, recognition of a State must reflect its true composition; the Palestinians wanted their State to be

democratic, pluralistic and inclusive and to be governed in accordance with the rule of law.

9. Israel also insisted that it must annex all settlement clusters and maintain full control over Jerusalem and the Jordan valley and over airspace, territorial waters and borders, and that the issue of the Palestinian refugees must be taken off the table, thereby rejecting the agenda agreed by the two sides in the 1990s. Under such terms, a Palestinian State was impossible; there was, in fact, nothing left for the Palestinians to negotiate. Unilateralism and power politics had prevailed and there could be no unilateral or even bilateral solution to the conflict because Israel abused the huge power imbalance between the two sides; the peace process was therefore a multilateral responsibility.

10. The Palestinians had sought statehood at the United Nations in order to send a message of hope to the Palestinian people and to embark on an alternative path towards peace with Israel. Yet, despite the magnitude of that step, they had encountered great resistance from the United States of America and some of its allies, who had acted as if they were committing a grave offence by appealing to an Organization that upheld international law and promoted multilateralism. It was regrettable that the United States had exerted so much effort to thwart the Palestinians' bid for statehood rather than holding Israel accountable for its unlawful, unilateral actions. She urged the States that had abstained during the vote on Palestinian membership in the United Nations to reconsider their position.

11. The two-State solution was being systematically and deliberately destroyed. If no steps were taken to stop Israeli actions by the end of 2012, the peace process would not survive. Such an outcome would have drastic implications for the Palestinians, the region and the world as the conflict in the Middle East was a key issue that shaped perceptions, attitudes and policies in the region and beyond. The international community must make a firm commitment to the peace process and to Palestinian nation-building while affording protection to Palestinian civilians, holding Israel accountable for its actions and ensuring that the June 1967 borders were those of the future Palestinian State and that the Occupied Palestinian Territory was recognized as occupied, not contested, as Prime Minister Netanyahu had claimed; it was not open to negotiation in any future settlement. It should be borne in mind that General Assembly resolution 181 (II), adopted on 29 November 1947, had established Jerusalem as a *corpus separatum*. Thus, if the status of East Jerusalem was to be negotiated, that of West Jerusalem must be as well.

12. The Palestinians' recent announcement that they planned to send a letter to Prime Minister Netanyahu had met with consternation in the international community, as if they had had no right to do so. The purpose of the letter was not to issue an ultimatum, set a deadline or threaten to dismantle the Palestinian Authority, but to summarize the situation in the Occupied Palestinian Territory and stress that the Palestinians had tried all available means to achieve a just resolution but had met with tremendous resistance. They would continue to seek membership in international organizations and to insist on their right to self-determination and freedom and on the need for international law to be upheld. The values of the Arab Spring had been adopted by the Palestinians in their long, non-violent struggle for dignity and freedom. Once more, however, the Palestinians had been decontextualized and in his speeches, American President Obama had implied that although every Arab citizen had the right to self-determination, the Palestinians did not.

13. Pressure had also been brought to bear on the United Nations Human Rights Council, which had sent an international fact-finding mission to investigate violations of international law, including international humanitarian and human rights law, resulting from the Israeli attacks on the Freedom Flotilla of ships carrying humanitarian assistance to Gaza. The hostility which that mission had encountered from certain parties, together with a general sense of great injustice, was creating among Palestinians a hopelessness that could lead to desperation. And desperate people sometimes committed desperate acts.

14. Rather than isolating itself on the wrong side of international law, the United States should rethink its policies in order to play the role of an even-handed peace broker. Time was running out; Prime Minister Netanyahu had declared that he would use 2012 to create irreversible conditions on the ground, rendering the two-State solution untenable. Palestinian aspirations could not, therefore, be put on hold until after the American Presidential elections in November 2012. Moreover, Israel's attempts to destroy the peace process were likely to result in further violence.

15. Turning to the issue of inter-Palestinian reconciliation, she said that there was no point in

holding negotiations for their own sake; a long period of talks would give Israel time to further weaken the Palestinians and their political system. Reconciliation could only be achieved through free and fair elections to the Palestinian Legislative Council, the Presidency and the Palestine National Council. The Palestinian Authority was committed to holding those elections and hoped that Hamas would take part in that democratic process and that Israel would not seek to impede elections in any part of the Occupied Palestinian Territory, including East Jerusalem.

16. An interim Government of independents and professionals should be formed with a view to rebuilding Gaza and preparing for elections. She urged the Arab States to support that reconciliation initiative and not to side with one political faction or another, as they had done in the past. In light of the dire economic situation in the Occupied Palestinian Territory, financial support from the Arab world and the wider international community was desperately needed in order to ensure that Palestinian institutions continued to function.

17. Palestinian statehood was not a luxury: it was an essential requirement for peace, stability and prosperity in the region. The members of the Committee had a responsibility to speak out for justice and to ensure that Palestine was accepted into the body politic of the international community as an equal member and that Israel was held accountable for its violations of international law. Only on that basis could the region truly enter a new spring.

18. **The Chair** said that the Committee welcomed the progress towards inter-Palestinian reconciliation. However, it was extremely concerned at the economic crisis facing the Palestinian Authority; at the ongoing stalemate in the peace process, which was directly attributable to Israel's failure to respect the internationally recognized parameters; and at the failure to take action on Palestine's request to become a full member of the United Nations.

19. The Quartet hoped to achieve a comprehensive peace agreement by the end of 2012. To that end, the Committee would continue to urge the Security Council to speak out firmly against settlement activity and to support United Nations initiatives aimed at ensuring respect for international law.

20. Over the previous two years, the Committee had mobilized political and financial support for recognition of the State of Palestine. In that connection, the United Nations International Meeting on the Role of Youth in Support of Israeli-Palestinian Peace would be held at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris on 29 and 30 May 2011, followed by a civil society event.

21. The Committee called on donors to fully uphold their commitments to the Palestinian Authority and to provide supplementary assistance so that Palestinian institutions could continue to function despite the current financial crisis. At the United Nations Seminar on Assistance to the Palestinian People, held in Cairo in February 2012, the Committee had learned that the occupation, which was the chief impediment to the stability of Palestinian institutions and to economic prosperity, had cost the Palestinian economy $7 billion in 2010.

22. Lastly, the Committee was especially concerned at the large number of Palestinian civilians, including members of parliament, who were held in Israeli prisons. In order to address that problem, the United Nations International Meeting on Palestinian Political Prisoners would be held at the United Nations Office at Geneva on 3 and 4 April 2012, followed by a civil society event.

23. **Mr. Al Bayati** (Iraq) said that his country would host a Summit of the League of Arab States, to be held in Baghdad on 29 March 2012. He asked how the Summit could help to resolve the Israeli-Palestinian conflict and, noting that Muslims and Christians were denied access to their holy sites in Jerusalem, suggested that a religiously diverse Palestinian delegation should be sent to the event in order to raise global awareness of that issue.

24. In 2011, for the first time since 2003, Iraq had been able to make a financial contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). As its economy improved, his Government would endeavour to provide greater financial assistance to the Palestinians.

25. **Mr. Apakan** (Turkey) commended the Palestinians' commitment to democracy, tolerance and pluralism. The Middle East was undergoing a transformation and the legitimate aspirations of the Palestinian people could no longer be ignored. The Committee must support Palestinian unity and all efforts to achieve recognition of a Palestinian State. Turkey condemned Israel's ongoing settlement policy,

the siege that it had imposed on Gaza and its efforts to maintain control over the West Bank.

26. **Ms. Vivas Mendoza** (Bolivarian Republic of Venezuela) asked what role the Palestinian Authority should play in the future, particularly since Israel had exploited many of the institutions established under the peace process in order to perpetuate its occupation.

27. **Ms. Ashrawi** (member of the Executive Committee of the Palestine Liberation Organization; member of the Palestinian Legislative Council) said that the Committee provided much-needed support to the Palestinian people. Some 5,000 Palestinians, including parliamentarians, were still being held in Israeli prisons and several of them were on hunger strikes, including Hana al-Shalabi, whose life was in danger and who had spent years in administrative detention without being charged with any offence. All the punitive measures implemented by Israel, including administrative detention, house demolitions and deportations, were violations of international law and must cease immediately.

28. At a meeting held in Cairo on 12 February 2012, the Ministers for Foreign Affairs of the League of Arab States had called on the League's members to contribute $100 million a month to support the Palestinian Authority. Those funds would help counter United States efforts to influence Palestinian decision-making by withholding financial support and would ensure that the Palestinian Authority continued to function, despite Israel's ongoing attempts to undermine it.

29. Concerted Arab support would also be required when Palestine appealed to the General Assembly in its bid for full membership in the United Nations. She assured the Committee that, although the Palestinians had not immediately sought recognition from the General Assembly, they would do so at the appropriate time.

30. The Palestinians had taken part in the recent exploratory talks Amman in order to demonstrate once again that they were committed to the peace process. Jordan feared that, in light of the increasingly shrill Israeli calls for it to become an alternative homeland for the Palestinians, its national security and even its survival were at risk.

31. She agreed with the representative of Iraq that Palestinian religious leaders should seek to raise awareness of the restrictions on religious freedom imposed by Israel. She had been appalled to learn that certain supporters of Israel had alleged that Palestinian Muslims were persecuting Palestinian Christians and that Israel was the only State in the region that afforded protection to Arab Christians. That could not be further from the truth; in a recent letter, Palestinian Christian leaders from all denominations had categorically rejected those allegations as an attempt to distort the realities of Palestinians' lives and to malign the Arab world as a whole. On the contrary, Israel's systematic and deliberately discriminatory policies targeted both Christians and Muslims, all of whom were treated as second- or third-class citizens. Thus, it was hardly surprising that many Christians and Muslims, the victims of deeply entrenched discrimination, were seeking to emigrate from the Holy Land.

32. National unity was a prerequisite for Palestinian empowerment. The Palestinian Authority was not a gift to the Palestinian people from the occupying Power; it had been established by Palestinians, in spite of the hardships that they suffered, with a view to creating a system of good governance. Attempts to transform it into an administrative arm of the occupation must be fiercely resisted, bearing in mind that the Authority was not a sacred body: it had been created to serve the Palestinian people and resist the occupation and could be disbanded if it could no longer fulfilled that function.

33. The Palestinians were committed to grass-roots-based, non-violent resistance. Israel could never hold the moral high ground as an occupying Power and while it could easily crush violent resistance to its hegemony, it was aware that non-violent resistance by ordinary men and women posed a much graver threat by highlighting the cruelty and injustice of its occupation. It was therefore targeting the leaders of non-violent resistance and sought to crush all such resistance with tremendous brutality. In that connection, she expressed her condolences to the Government and people of Turkey on the lives lost in the 31 May 2010 Israeli raid on the Freedom Flotilla.

34. She commended the growing Palestinian solidarity movement, which brought together Palestinian, Israeli and international activists and included the Boycott, Divestment and Sanctions campaign. In a blatant infringement of its citizens' right to freedom of expression, Israel had enacted legislation that prohibited Israelis from expressing any support for that campaign. The Palestinians were deeply grateful to those who took up their cause and, in

that connection, had recently held events to commemorate the tenth anniversary of the March 2003 murder of American peace activist Rachel Corrie and the deaths of all other foreign nationals who had been killed because of their support for Palestinian rights.

35. On 4 March 2012, in a statement before the American Israel Public Affairs Committee (AIPAC), United States President Obama had taken credit for preventing the recommendations contained in the Goldstone Report (A/HRC/12/48) from being implemented and blocking a thorough investigation of Israel's interception of the Freedom Flotilla. Justice would never be achieved while Israel enjoyed impunity for its actions.

36. **Mr. Khan** (Indonesia) said that his country unequivocally supported the Palestinian people's right to self-determination and to an independent State established on the basis of the 1967 ceasefire lines with Jerusalem as its capital. It was encouraging that an increasing number of countries recognized the State of Palestine. His delegation strongly believed that Palestine's bid for full membership of the United Nations would facilitate progress in the peace process and was very concerned at the deadlock in the talks between Israel and the Palestinians. His Government would continue to support the Palestinian people through capacity-building programmes.

37. **Mr. Morejón** (Ecuador) said that his country was honoured to become a member of the Committee. The principal element at stake in Palestine was justice, and Ecuador was committed to achieving justice for the Palestinian people.

38. **Mr. Chekkori** (Morocco) said that his country stood firmly with the Palestinian people in their struggle for justice. As a member of the Security Council, his delegation would strive to ensure that Palestine became a full member of the United Nations.

39. **Mr. Khan** (Pakistan) echoed the sentiments expressed by the representative of Morocco

40. **Ms. Rubiales de Chamorro** (Nicaragua) said that the world could no longer stand idly by while Israel and its chief ally denied the Palestinians' right to establish a free, independent and sovereign State. The international community had once striven to combat apartheid; it should now take a stand against injustice in Palestine and ensure that Israel could no longer violate international law with impunity.

41. **Ms. Ashrawi** (member of the Executive Committee of the Palestine Liberation Organization; member of the Palestinian Legislative Council) said that she was pleased that Ecuador had become a member of the Committee and welcomed its intention to work both within the Committee and bilaterally.

42. She appreciated the capacity-building assistance provided by the Indonesian Government. Al-Quds al-Sharif was sacred to both Islam and Christianity; the Palestinians were committed to maintaining its religious integrity and that of all of Palestine and would safeguard its rich cultural and religious heritage for humanity as a whole. Twenty-one years of negotiations between Israel and the Palestinians had been counterproductive; they had merely served to buy more time for Israel to build settlements and commit new abuses. A new approach, with intervention from the international community, was required if there was to be any chance of peace on the basis of a two-State solution.

43. She appreciated the representative of Morocco's expression of support, not only as an Arab country but on the basis of a common humanity and shared values, and thanked his Government for hosting the secretariat of the Organization of Islamic Cooperation's Al-Quds Committee. It was regrettable that although donors had pledged $500 million to safeguard Jerusalem from Israeli actions, only $37 million had been received. Meanwhile, private donors were providing huge sums to fund illegal settlement-building in the Occupied Palestinian Territory. She urged the Arab countries to increase their contributions in order to help the Palestinians resist the creeping annexation of their homeland and show them that they were not alone in their struggle.

44. Nicaragua had a long history of support for the Palestinians, both within and outside the Committee. The international community must find the political will to hold Israel accountable for its actions. Palestine would continue to engage with all United Nations bodies and agencies, firm in its belief that it should enjoy full membership of the Organization, and looked forward to joining the Committee as a free, independent State.

45. **Mr. Mansour** (Observer for Palestine) said that the Palestinian people were grateful for the Committee's many years of support for their struggle.

The meeting rose at 12.20 p.m.